

JC07 Rec'd 177PTO 23 MAR 2001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Robert Z. Stodilka et al.
Serial No.: 09/744,663
Filed:

Title: APPLICATION OF SCATTER AND
ATTENUATION CORRECTION TO
EMISSION TOMOGRAPHY IMAGES
USING INFERRED ANATOMY
FROM ATLAS

Group:

Examiner:

ATTENTION: APPLICATION PROCESSING DIVISION
SPECIAL PROCESSING AND CORRESPONDENCE BRANCH

SUBMISSION OF EXECUTED DECLARATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirements of Application mailed February 26, 2001, enclosed herewith is the signed and dated Declaration in the above-identified application together with a copy of Form PTO/DO/EO/905.

Submitted herewith is a check in the amount of \$130.00, to cover the late Declaration surcharge. If the enclosed remittance is insufficient, the Commissioner is authorized to charge payment of the following fees during pendency of this application or credit any overpayment to Deposit Account No. 02-0385 BAKER & DANIELS:

1. Any additional fees required under 37 CFR 1.16.
2. Any patent application processing fees under 37 CFR 1.17
3. Any filing fees under 37 CFR 1.16 for presentation of extra claims

It is submitted that with the filing of the above documents, the application is complete and may be submitted for examination by the Patent and Trademark Office.

Respectfully submitted,

John F. Hoffman
Registration No. 26,280
Attorney for Applicants

JFH/pmp

BAKER & DANIELS
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FORT WAYNE, IN 46802
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Enc.

Declaration
Form PTO/DO/EO/905
Return Postcard

"EXPRESS MAIL" MAILING LABEL NUMBER ELO58951322US
DATE OF DEPOSIT March 23, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, DC 20231.

Patrice Michele Potter

(Typed Name of Person Mailing Paper or Fee)

(Signature of Person Mailing Paper or Fee)

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09/744663



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
6078-1-1001-1001	JOHN J. GILBERT	
INVENTOR: JOHN J. GILBERT BY: [Signature] COUNSEL: ROBERT C. KENNEDY		
INTERNATIONAL APPLICATION NO.		
I.A. FILING DATE PRIORITY DATE		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494).

- ☐ U.S. Basic National Fee.
☒ Copy of the International application in:
 ☐ a non-English language.
 ☒ English.
☐ Translation of the International application into English.
☐ Oath or Declaration of inventor(s) for DO/E/O/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☐ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.
☐ Preliminary amendment(s) filed _____ and _____.
☐ Information Disclosure Statement(s) filed 25 JAN 01 and _____.
☐ Assignment document _____.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____.
☐ Statements Claiming Small Entity Status.
☐ Priority Document.
☐ Copy of the International Search Report ☐ and copies of the references cited therein.
☐ Other: _____
2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492)(b).
☒ c. Oath or declaration of the Inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
 ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/E/O/917.
☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492)(c).
3. Additional claim fees, as a ☐ large entity ☐ small entity, including any required multiple dependent claim fees, are required. Applicant must submit the additional claim fees or cancel the additional claims for which claim fees are required. (See attached PTO-875.
- REPLY DUE: 27 March 01
 DOCKET 1 ☒ DO

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 34 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-3888

REPLY DUE: Dec 1
- March 26, 2001
DOCKET 1 ✓ DOCKET 2 ✓

44663



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20311

U.S. APPLICATION NO.	611	FIRST NAMED APPLICANT	ATTY DOCKET NO.
DORRIS H. HUBBARD OFFICE 5, INVENTOR 111 EAST WASHINGTON STREET, SUITE 300 FORT WAYNE, IN 46802		INTERNATIONAL APPLICATION NO. PRIORITY DATE FILING DATE	DATE MAILED 10/1/83

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the specification to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the city and state or city and foreign country of residence or each inventor.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4. ☐ does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

Lemont Huber
National Stage Processing
Telephone: 703 (703) 305-3895